

I. INTRODUCTION

The branch administers the Perishable Agricultural Commodities Act (PACA), which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce and the Produce Agency Act (PAA). The position is located a regional office of the branch.

The incumbent serves as a regional office Senior Fruit and Vegetable Marketing Specialist responsible for handling exceptionally complicated complaint, license and trust matters originating under the PACA, and complaint matters originating under the PAA. This position requires the incumbent to have a thorough knowledge of several specialized marketing and legal functions and the ability to use this knowledge in unique and difficult situations.

II. MAJOR DUTIES

Based on a thorough knowledge of and high degree of technical skill in applying the provisions of the PACA and PAA as well as established policies, precedents, and procedures of the Branch, the incumbent:

Conducts exceptionally complex personal investigations of license matters, contractual disputes, dissipation of trust assets under the trust provisions of the PACA, unfair trade practices, and criminal violations of the PAA. Investigations at this level may involve such complicating factors as recognizing and identifying a new and/or unique unfair trading method practiced by industry members; uncovering unusually serious violations of law during the course of investigations; and, coordinating and heading up investigations and audits with employees of other Regional offices. Investigations require a high degree of originality to, for example, identify legitimate claims for expenses and assemble appropriate documentation to determine fair market prices for produce involved in claims; determine extent of violations by developing and implementing different approaches to cases and to assure that all elements necessary to support violations have been properly documented; conduct unusually in-depth analyses of business records to identify the violator when preliminary investigations indicated liability of someone else as a result of a cursory review of documentation or through misleading information; and, assure that all possible violations have been identified.

Personal investigations generally require overnight travel within the regional office boundaries and at times to other parts of the country for periods of one to three weeks. Overall travel may range between 20 to 35 percent of the time.

Prepares detailed and accurate reports of personal investigations accompanied by supporting evidentiary material for use in Departmental administrative or Federal and State court proceedings.

Handles exceptionally complex reparation complaints and makes use of alternative dispute resolution techniques to resolve disputed complaints whenever possible.

Uses information developed to resolve disputes and to participate as an expert witness in administrative and court appearances.

Conducts educational clinics, attends trade meetings furnishing advice and counsel to produce industry on all provisions of the PACA, including unfair trade practices.

Serves as backup to the Assistant Regional Director with respect to the processing of license applications in the regional office.

Updates the Branch database with information and activities related to complaint, license, violator, and administrative matters.

Provides leadership, technical guidance, and training to other marketing specialists carrying out assigned projects and serves as team leader of group investigations. Prepares final reports of investigation.

Conducts formal training sessions for other marketing specialists as directed by the Regional Director.

Adheres to Equal Employment and Civil Rights policies, goals, and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of other employees and clients are respected and valued.

III. FACTORS

A. Responsibility for the Work of Others:

Serves as team leader on group investigations involving specialists of this or other regional offices and prepares the final report of group investigations.

Serves as acting regional director and/or acting assistant regional director in instances when they are absent from the office.

B. Supervision and Guidance Received:

The incumbent is under the administrative and technical supervision of the Regional Director who provides assignments. The incumbent is responsible for coordinating, planning, scheduling and performing the work and resolving most problems that arise. Completed work is reviewed primarily for accomplishment of overall objectives and compliance with established policies and procedures. Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies, and procedures, all of which require considerable interpretation by the incumbent, and originality in their application to resolve problems and assure complete investigations.